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EXAMINER

BARNIE, REXFORD N

ART UNIT

PAPER NUMBER

2643

DATE MAILED: 12/17/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
09/756,386

Applicant(s)  
THOMAS PETITE

Examiner  
REXFORD BARNIE

Art Unit  
2643



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Aug 27, 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 33-73 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 33-73 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 6) ☐ Other:

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## **DETAILED ACTION**

### ***Claim Rejections - 35 U.S.C. § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 33, 46 and 55 are rejected under 35 U.S.C. 102(b) as being anticipated by Argyroudis et al. (US Pat# 5,748,104).

Regarding claims 33, 46 and 55, Argyroudis teaches a system for communicating information to a predetermined location comprising an extremely low power transmitter configured to wirelessly transmit an extremely lower-power signal (column 5 lines 25-32), a transceiver located remote from but in close proximity to the transmitter, the transceiver comprising a line interface circuit configured to interface with a telephone line which is part of the PSTN, an inherent processor configured to receive the signal and communicate the signal information to a central location in (see fig. 1, col. 3 lines 12-14, lines 43-50, col. 5).

### ***Claim Rejections - 35 U.S.C. § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) a patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a

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person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 34, 36-41, 66, 72 and 73 are rejected under 35 U.S.C. 103(a) as being unpatentable over Argyroudis et al. (US Pat# 5,748,104) in view of Lindstrom (US Pat# 4,056,684) or Karimullah (US Pat# 5,343,493) or Sutton (US Pat# 5,629,687) or Jahr et al..

Regarding claim 72, Argyroudis teaches a system for communicating information to a predetermined location comprising an extremely low power transmitter configured to wirelessly transmit an extremely lower-power signal (column 5 lines 25-32), a transceiver located remote from but in close proximity to the transmitter, the transceiver comprising a line interface circuit configured to interface with a telephone line which is part of the PSTN, an inherent processor configured to receive the signal and communicate the signal information to a central location in (see fig. 1, col. 3 lines 12-14, lines 43-50, col. 5). Eventhough, a unique message would be sent indicative of specific messages or data from sensors associated with different parties and arguably so, for the sake of argument, the examiner takes office notice that sending unique identification associated with messages or data transmitted to a central station from a remote station is notoriously well known. For instance, Lindstrom teaches a remote surveillance system wherein a unique message comprising of ID information in addition to status information in (see column 5 lines 13-21).

Karimullah teaches a personal assistance system wherein an encoded signal can be formatted and transmitted to a remote station (see disclosure).

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Sutton teaches a remote transmission system wherein information can be encoded and format fro transmission over a communication medium and then finally decoded (see col. 4 line 66-col. 5 line 5).

Jahr teaches a utility usage data and event data acquisition system in (see figs.) wherein encoded information including a unique message can be transmitted to a remote station.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of being able to uniquely identify messages from a transmitter in addition to the alarm or information signal into that of Argyroudis thus making it possible to determine the reason why a remote signal has been sent to the central station and to respond to it accordingly.

Regarding claim 73, see the explanation as set forth in the rejection of claim 72.

Regarding claim 66, the combination including Lindstrom teaches a transceiver unit which can receive information and would be obvious to have a receiver and a transmitter for receiving/transmitting signals to a remote station (see 122 of fig. 1 of Argyroudis and fig. 2 of Lindstrom or fig. 1 of Karimullah). Furthermore, see the explanation as set forth regarding claim 72.

Regarding claim 34 and 36-41, The combination teaches being able to send unique information to a remote station, see for instance Jahr et al.

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5. Claims 34-45, 47-54, and 56-65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Argyroudis et al. (US Pat# 5,748,104) in view of Burnett (US Pat# 6,067,030, cited by applicant).

Regarding claims 34-45, 47-54 and 56-65, Argyroudis does not teach the claimed subject matter in detail but Burnett teaches monitoring of a system wherein an alarm signal can be sent via the Internet, PSTN, wireless transmission and so forth (see column 3 lines 63-67) and the address associated with the origination point can be displayed on a graphical interface (see column 7 lines 16-33). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Burnett into that of Argyroudis thus making it possible to transmit an alarm signal via the Internet to include pertinent information about the originating address.

Regarding claims 44-45, the examiner takes official notice that it's well to use error detection or correction fields in addition to other information indicators by including them as bit fields in a transmitted data message.

6. Claims 67-71 are rejected under 35 U.S.C. 103(a) as being unpatentable over Argyroudis et al. (US Pat# 5,748,104) in view of {Lindstrom (US Pat# 4,056,684) or Karimullah (US Pat# 5,343,493) or Sutton (US Pat# 5,629,687) or Jahr et al.} and further in view of Burnett (US Pat# 6,067,030, cited by applicant).

Regarding claims 67-71, The combination teaches being able to send low power signals but fails to teach being able to send information over the Internet but Burnett teaches monitoring

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of a system wherein an alarm signal can be sent via the Internet, PSTN, wireless transmission (examiner takes official notice that IR signal, ultrasound are notoriously well known) and so forth (see column 3 lines 63-67) and the address associated with the origination point can be displayed on a graphical interface (see column 7 lines 16-33). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Burnett into that of Argyroudis thus making it possible to transmit an alarm signal via the Internet to include pertinent information about the originating address.

***Conclusion***

6. Any inquiry concerning this communication or earlier communication from the examiner should be directed to REXFORD BARNIE whose telephone number is (703) 306-2744. The examiner can normally be reached on Monday through Friday from 8:30 to 6:00p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz, can be reached on (703) 305-4708.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to (703) 872-9314 and labeled accordingly (Please label

**"PROPOSED/INFORMAL" or "FORMAL"**).

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (703) 306-0377.

*R. Barnie*

Rexford Barnie  
Patent Examiner  
RB 12/11/02